

REMARKS

This is responsive to the Office Action mailed on November 28, 2006. In that Office Action, claims, 1, 4-7, 9, 10, 41-47 and 49 stand rejected. With this Amendment, claims 1, 6, 7, 41-44, 47 and 49 are hereby amended. Claim 5 has been cancelled. The application now includes claims 1, 4, 6, 7, 9, 10, 41-47 and 49.

In the Office Action claims 1, 4-9, 10, 41-47 and 49 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, it was stated that the specification did not support a peroxide catalyst to be contained in any one of the first and second intermediate layers. The Office Action then did not give the peroxide catalyst element when contained in the ink film and/or clear gel coat layer patentable weight.

In response, independent claims 1, 41, 42, 43, 44, 47 and 49 have been amended to specifically include an additional gel coat layer containing the peroxide catalyst. Support for this can be found in the application in column 4, line 21; column 6, line 16; column 9, line 3; column 28, line 26; column 36, line 14; and column 38, line 26 as pointed out by the Examiner in the last Office Action. These claims have also been amended to include a styrene monomer. Support for this amendment can be found on pg. 25, line 22.

In view of these amendments, it is believed that the claims comply with the written description requirement. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

Next, the Office Action rejected claims 1, 4, 6, 7, 9, 10, 41-47 and 49 under 35 U.S.C. §102(b) as being anticipated by the Kobayashi et al. U.S. Patent No. 5,643,659 as evidenced by Rinz (U.S. Patent No. 6,040,391), Ogawa et al. (U.S. Patent No. 5,959,035), Kamimura et al. (U.S. Patent No. 5,663,116) and a list of organic solvent co-polyester resins (Internet printout).

Kobayashi et al. describes a heat transfer printing sheet for producing images having a metallic luster. Kobayashi et al. do not describe a decorative transfer having three layers, with the third layer containing a peroxide catalyst which then crosslinks the three layers.

As discussed above, independent claims 1, 41, 42, 43, 44, 47 and 49 have all been amended to include a third layer containing a gel coat that has peroxide catalyst for crosslinking that layer along with the two other layers and a styrene monomer. In view of this, it is requested that the rejection under 35 U.S.C. § 102(b) be withdrawn and claims 1, 4, 6, 7, 9, 10, 41-47 and 49 be allowed.

Next, the Office Action rejected claim 5 under 35 U.S.C. § 103(a). However, claim 5 has been cancelled.

In view of the above, it is believed that all of the claims are now in condition for allowance and such is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Z. Peter Sawicki
Z. Peter Sawicki, Reg. No. 30,214
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

ZPS:cnn